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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/022,836

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Jung-Gug Pac

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09/15/2006

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EXAMINER

ORTIZ CRIADO, JORGE L

ART UNIT

PAPER NUMBER

2627

DATE MAILED: 09/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/022,836	Applicant(s) PAE ET AL.	
	Examiner Jorge L. Ortiz-Criado	Art Unit 2627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-13 and 15-18 is/are pending in the application.
- 4a) Of the above claim(s) 3-8,11,12 and 15-18 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,9,10, and 13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 09/01/2006 has been entered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1,9,10, and 13 are rejected under 35 U.S.C. 102(a) as being anticipated by Yasuda et al. J.P. Publication No. 11-339294.

In regard to claim 1, Yasuda et al. discloses an optical pickup for use with a disc, comprising:

Art Unit: 2627

a blade (4) on which an objective lens (1) is mounted and which is movably supported with respect to a holder (6) by an elastic support (5); a focus coil (2) and a tracking coil (3) mounted on the blade; a magnet (8) generating an electromagnetic force driving the blade in focusing (z) and tracking (x) directions of with respect to the disc, the electromagnetic force generated by current flowing through at least one of the focus and tracking coils (see [0003]);

wherein the magnet is displaced a predetermined distance from a center line of the blade to an asymmetric position such that the electromagnetic force acts on the blade asymmetrically and in a radial direction of the disc toward the outer circumference of the disc (see [0016]; Fig. 1 (b); Fig. 4).

In regard to claim 9, Yasuda et al. discloses an optical pickup for use with a disc, comprising:

a blade (4) on which an objective lens (1) is mounted and which is movably supported with respect to a holder (6); a focus coil (2) and a tracking coil (3) mounted on the blade; a magnet (8) generating an electromagnetic force driving the blade in focusing (z) and tracking (x) directions of with respect to the disc, the electromagnetic force generated by current flowing through at least one of the focus and tracking coils (see [0003]); and a supporting unit (5) supporting the blade to tilt around an axis of the blade as the blade moves in the focusing direction (see [0016]; Fig. 4),

wherein the magnet is displaced a predetermined distance from a center line of the blade to an asymmetric position such that the electromagnetic force acts on the blade asymmetrically and in

a radial direction of the disc toward the outer circumference of the disc (see [0016]; Fig. 1 (b); Fig. 4).

In regard to claim 10, Yasuda et al. discloses an optical pickup for use with a disc, comprising:

a blade (4) on which an objective lens (1) is mounted and which is movably supported with respect to a holder (6); a focus coil (2) and a tracking coil (3) mounted on the blade; a magnet (8) generating an electromagnetic force driving the blade in focusing (z) and tracking (x) directions of with respect to the disc, the electromagnetic force generated by current flowing through at least one of the focus and tracking coils (see [0003]); a unit (5) moving the blade to tilt around an axis of the blade as the blade moves in the focusing direction (see [0016]; Fig. 4), wherein the magnet is displaced a predetermined distance from a center line of the blade to an asymmetric position such that the electromagnetic force acts on the blade asymmetrically and in a radial direction of the disc toward the outer circumference of the disc (see [0016]; Fig. 1 (b); Fig. 4).

In regard to claim 13, Claim 13 has limitations similar to those treated in the above rejection(s), and are met by the references as discussed above. Claim 13 however also recite the limitations of a turntable and a motor, which are inherently for Yasuda et al's optical disk player ([0002]).

Response to Arguments

Applicant's arguments filed 08/01/2006 have been fully considered but they are not persuasive.

Applicant argues that Yasuda fails to disclose, "the magnet is displaced in a radial direction of the disc toward the outer circumference of the disc.

The examiner cannot concur because Yasuda clearly discloses that the magnet is displaced in the direction of "tracking" "X", as shown in Fig. 1(b), which is in a radial direction of the disc toward the outer circumference of the disc to an asymmetric position such that the electromagnetic force acts on the blade asymmetrically, as explained in paragraph [0016].

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jorge L. Ortiz-Criado whose telephone number is (571) 272-7624. The examiner can normally be reached on Mon.-Thu.(12:30 pm- 9:00 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrea L. Wellington can be reached on (571) 272-4483. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2627

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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ANDREA WELLINGTON
SUPERVISORY PATENT EXAMINER